

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re	)	
<b>Brian Patrick Hogan</b>	)	Case No. <b><u>12-41178</u></b>
<b>Stephanie Anne Hogan</b>	)	
	)	Chapter <b><u>13</u></b>
Debtor(s).	)	
	)	Response Due: <b><u>March 26, 2014</u></b>
	)	Hearing Date: <b><u>April 9, 2014</u></b>
	)	Hearing Time: <b><u>10:00 a.m.</u></b>
	)	Location <b><u>Courtroom 5 North</u></b>

To: Capital One, NA  
Bass & Associates, PC  
3936 E. Ft. Lowell Rd., Ste. 200  
Tucson, AZ 85712

**OBJECTION TO CLAIM NO. 3**

**WARNING: A written response must be filed with the Clerk, U.S. Bankruptcy Court, 111 South Tenth Street, 4th Floor, St. Louis, Missouri, 63102, and a copy served upon the undersigned by March 26, 2014. Failure to file a timely response may result in the Court granting the relief requested prior to the hearing date. You should read this paper carefully and discuss it with your attorney, if you have one.**

Brian and Stephanie Hogan, Debtors herein, objects to your Claim No.3 , Capital One N.A. in the amount of \$6,284.69 (\$3,835.85 secured and 2,448.84 unsecured), for the following reason(s):

- \_\_\_ Said claim duplicates Claim No. \_\_\_ in this case.
- \_\_\_ Said claim is based on estimates.
- \_\_\_ Said claim is disputed in that \_\_\_\_\_.
- \_\_\_ No proof of debt has been provided after request has been made.
- \_\_\_ No accounting of indebtedness is attached to claim.
- \_\_\_ Said claim is not for a debt of this Debtor.
- \_\_\_ Said claim includes post-bankruptcy charges.
- \_\_\_ No credit given for value of security.
- \_\_\_ Said claim has been paid by reaffirmation or otherwise.
- \_\_\_ Claimant retains property of the estate, pursuant to 11 U.S.C. ' 502(d).
- \_\_\_ Said claim was filed out of time.
- \_\_\_ Said claim is not entitled to priority status.
- XXX** Other:

- **The value of the collateral is \$1,641.61 and claim number 3 should be paid as**

**\$1,641.61 secured and the remaining \$4,643.08 as unsecured.**

- \_\_\_\_ Trustee is prepared to consent to the allowance of said claim in the amount of \$  
\_\_\_\_ Trustee is prepared to consent to the allowance of said claim in the full amount as a fully  
secured claim not entitled to participate in any distribution from this Estate.

Respectfully Submitted,  
GOLDBERG LAW FIRM, LLC

/s/ Nathan H Goldberg  
Attorney at Law  
EDMO 3231, MO 37321  
6901 Gravois Ave.  
The London House  
St. Louis, MO 63116  
314-771-1900  
314-771-1903 fax  
nathan@goldberglawllc.com

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of Debtors' Objection to Claim No. 3 was served via first-class mail, postage prepaid, or by the court's ECF system on this 5<sup>th</sup> day of March, 2014, to the persons listed below:

John V. LaBarge, Jr.  
Chapter 13 Trustee  
PO Box 430908  
St. Louis, MO 63143

Wells Fargo Bank, NA  
PO Box 10438  
Dallas, TX 75266

William T. Holmes  
Millsap & Singer, LLC  
612 Spirit Dr.  
St. Louis, MO 63005

Daniel J. McNamee  
King, Krehbiel & Hellmich, LLC  
2000 South Hanley Rd.  
St. Louis, MO 63144

Respectfully Submitted,  
GOLDBERG LAW FIRM, LLC

/s/ Nathan H Goldberg

Attorney at Law

EDMO 3231, MO 37321

6901 Gravois Ave.

The London House

St. Louis, MO 63116

314-771-1900

314-771-1903 fax

nathan@goldberglawllc.com